

# SENATE BILL 514

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CF HB 450

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By: **Senators Middleton and Kasemeyer**

Introduced and read first time: February 4, 2011

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Community Health Resources Commission – Health Care Reform –**  
3 **~~Safety Net Providers~~ Implementation**

4 FOR the purpose of authorizing the Maryland Community Health Resources  
5 Commission to provide certain assistance to ~~safety net providers~~ community  
6 health resources in preparing to implement certain health care reform;  
7 authorizing the Commission to examine certain issues and potential challenges  
8 for ~~safety net providers~~ community health resources in preparing to implement  
9 certain health care reform; requiring the Commission to develop a certain  
10 business plan for the provision by the State of certain assistance to ~~safety net~~  
11 ~~providers~~ community health resources; requiring the Commission to make  
12 certain recommendations to the Governor and certain committees of the  
13 General Assembly on or before a certain date; altering a certain definition;  
14 defining certain terms; and generally relating to the Maryland Community  
15 Health Resources Commission and the implementation of health care reform ~~by~~  
16 ~~safety net providers~~.

17 BY repealing and reenacting, with amendments,  
18 Article – Health – General  
19 Section 19–2101 and 19–2107(a)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume and 2010 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Health – General**

2 19–2101.

3 (a) In this subtitle the following words have the meanings indicated.

4 **(B) “AFFORDABLE CARE ACT” MEANS THE FEDERAL PATIENT**  
 5 **PROTECTION AND AFFORDABLE CARE ACT, AS AMENDED BY THE FEDERAL**  
 6 **HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, AND ANY**  
 7 **REGULATIONS ADOPTED OR GUIDANCE ISSUED UNDER THE ACTS.**

8 **[(b)] (C)** “Commission” means the Maryland Community Health Resources  
 9 Commission.

10 **[(c)] (D)** (1) “Community health resource” means a nonprofit or for profit  
 11 health care center or program that offers the primary health care services required by  
 12 the Commission under § 19–2109(a)(2) of this subtitle to an individual on a sliding  
 13 scale fee schedule and without regard to an individual’s ability to pay.

14 (2) “Community health resource” includes:

15 (i) A federally qualified health center;

16 (ii) A federally qualified health center “look–alike”;

17 (iii) A community health center;

18 (iv) A migrant health center;

19 (v) A health care program for the homeless;

20 (vi) A primary care program for a public housing project;

21 (vii) A local nonprofit and community–owned health care  
 22 program;

23 (viii) A school–based health center;

24 (ix) A teaching clinic;

25 (x) A wellmobile;

26 (xi) A health center controlled operating network;

27 (xii) A historic Maryland primary care provider;

1 (xiii) An outpatient [mental health clinic] **BEHAVIORAL HEALTH**  
 2 **PROGRAM**; and

3 (xiv) Any other center or program identified by the Commission  
 4 as a community health resource.

5 ~~(E) "SAFETY NET PROVIDER" MEANS A PROVIDER THAT DELIVERS A~~  
 6 ~~SIGNIFICANT LEVEL OF HEALTH CARE TO THE UNINSURED, ENROLLEES IN THE~~  
 7 ~~MEDICAL ASSISTANCE PROGRAM, OR OTHER VULNERABLE PATIENTS.~~

8 19–2107.

9 (a) In addition to the powers set forth elsewhere in this subtitle, the  
 10 Commission may:

11 (1) Adopt regulations to carry out the provisions of this subtitle;

12 (2) Create committees from among its members;

13 (3) Appoint advisory committees, which may include individuals and  
 14 representatives of interested public or private organizations;

15 (4) Apply for and accept any funds, property, or services from any  
 16 person or government agency;

17 (5) Make agreements with a grantor or payor of funds, property, or  
 18 services, including an agreement to make any study, plan, demonstration, or project;

19 (6) Publish and give out any information that relates to expanding  
 20 access to health care through community health resources that is considered desirable  
 21 in the public interest; [and]

22 (7) Subject to the limitations of this subtitle, exercise any other power  
 23 that is reasonably necessary to carry out the purposes of this subtitle; **AND**

24 **(8) ASSIST ~~SAFETY NET PROVIDERS~~ COMMUNITY HEALTH**  
 25 **RESOURCES IN PREPARING TO IMPLEMENT THE AFFORDABLE CARE ACT.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That:

27 (a) In this section, "Affordable Care Act" and "~~safety net provider~~ community  
 28 health resource" have the meanings stated in § 19–2101 of the Health – General  
 29 Article, as enacted by Section 1 of this Act.

30 (b) The Maryland Community Health Resources Commission shall:

1 (1) examine issues and potential challenges for ~~safety net providers~~  
2 community health resources in preparing to implement health care reform associated  
3 with the Affordable Care Act, including:

4 (i) the administrative infrastructure and information  
5 technology capacity of ~~safety net providers~~ community health resources and any  
6 barriers to ~~safety net providers~~ community health resources achieving meaningful use  
7 of the information technology;

8 (ii) whether common administrative and information technology  
9 systems and technical assistance would help ~~safety net providers~~ community health  
10 resources in contracting with managed care organizations and commercial insurers;

11 (iii) opportunities for ~~safety net providers~~ community health  
12 resources to partner to achieve efficient administrative economies of scale;

13 (iv) ~~methods to assist safety net providers to obtain~~  
14 ~~reimbursement from third party payors~~ barriers to community health resources  
15 contracting with and billing third-party payors;

16 (v) assistance in positioning ~~safety net providers~~ community  
17 health resources to obtain resources available under health care reform; and

18 (vi) barriers that may impede ~~safety net providers~~ community  
19 health resources from sustaining their service delivery; and

20 (2) develop a business plan for the State to provide ongoing assistance  
21 to ~~safety net providers~~ community health resources to assist the ~~providers~~ community  
22 health resources in:

23 (i) ~~obtaining reimbursement from third party payors; and~~

24 (ii) ~~sustaining~~ sustaining and enhancing their service delivery.

25 (c) On or before January 1, 2012, the Maryland Community Health  
26 Resources Commission shall make recommendations for a plan to assist ~~safety net~~  
27 ~~providers~~ community health resources in implementing health care reform associated  
28 with the Affordable Care Act to the Governor and, in accordance with § 2-1246 of the  
29 State Government Article, the Senate Finance Committee and the House Health and  
30 Government Operations Committee.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 July 1, 2011.